

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**K.R. AND J.R., AS NEXT FRIENDS OF  
H.R., A MINOR,**

*Plaintiffs,*

v.

**KILLEEN INDEPENDENT SCHOOL  
DISTRICT,**

*Defendant.*

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**6:20-CV-00195-ADA-JCM**

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 52. The Report recommends that Defendant's Motion for Judgment on the Administrative Record or Alternative Motion for Summary Judgment (ECF No. 22) be granted; that Plaintiffs' Motion for Judgment on the Record (ECF No. 41) be denied; Defendant's Motion to Re-Urge (ECF No. 27) be granted-in-part and denied-in-part; that Defendant's Second Motion to Re-Urge (ECF No. 32) be denied as moot; and that Defendant's Third Motion to Re-Urge (ECF No. 40) be denied as moot. The Report and Recommendation was filed on April 19, 2022.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider "[f]rivolous, conclusive, or general objections." *Battle v. U.S. Parole Comm'n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996)).

Plaintiff filed objections on May 3, 2022. ECF No. 56. The Court held a hearing discussing the objections on May 4, 2022. The Court has conducted a *de novo* review of the motions for judgment on the record, summary judgment, and motions to re-urge, the responses, the report and recommendation, the objections to the report and recommendation, arguments of counsel, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

**IT IS THEREFORE ORDERED** that the Report and Recommendation of United States Magistrate Judge Manske, ECF No. 52, is **ADOPTED**.

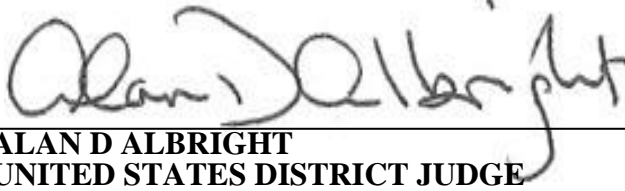
**IT IS FURTHER ORDERED** that Defendant's objections are **OVERRULED**.

**IT IS FURTHER ORDERED**

- That Defendant's Motion for Judgment on the Administrative Record or Alternative Motion for Summary Judgment (ECF No. 22) be **GRANTED**;
- That Defendant's Motion to Re-Urge (ECF No. 27) be **GRANTED-IN-PART** as to taking judicial notice and **DENIED-IN-PART** as to granting Defendant's Motion for Judgment as unopposed;
- That Defendant's Second Motion to Re-Urge (ECF No. 32) be **DENIED AS MOOT**;
- That Defendant's Third Motion to Re-Urge (ECF No. 40) be **DENIED AS MOOT**;  
and
- That Plaintiffs' Motion for Judgment on the Record (ECF No. 41) be **DENIED**.

In accordance with Judge Manske's Report and Recommendations.

SIGNED this 18th day of April, 2023.



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**ALAN D ALBRIGHT**  
**UNITED STATES DISTRICT JUDGE**